

The complaint

Mr F is complaining that Metro Bank PLC didn't do enough to prevent him from making a payment to an investment scam.

The complaint is brought on his behalf by a professional representative, but I'll mainly refer to Mr F here.

What happened

The circumstances of the scam are known to both parties, so I'll only summarise them here.

In short, Mr F fell victim to a cryptocurrency investment scam after coming across an advert for an investment scheme on social media.

He was contacted by someone who said they were an account manager for the investment scheme, and he made an initial investment which appeared to increase in value very quickly. Mr F was then told he needed to pay a percentage of the balance to withdraw the funds.

Mr F was advised to open an account with Metro Bank to make this payment after having some difficulties in transferring funds from his existing bank account. He opened the account and on 17 October 2024 he attempted to make a transfer of £7,000 to his own account with a cryptocurrency exchange.

Metro Bank initially held the payment as it found it to be suspicious. On 21 October 2024 Mr F spoke to Metro Bank to discuss the payment. Following this conversation Metro Bank allowed the payment to be processed, and it was then moved on to the scam.

Mr F realised he'd been scammed after he didn't receive the withdrawal he was trying to make and the scammer stopped communicating with him. He complained about what had happened to Metro Bank, through his representative. But Metro Bank said that it wouldn't be refunding the payment as it remained under Mr F's control after it left his account with it.

Mr F brought a complaint to the Financial Ombudsman Service, and it was considered by one of our Investigators. But our Investigator didn't think Mr F's complaint should be upheld. He thought what Metro Bank had done to intervene in the payment was proportionate in all the circumstances.

Mr F didn't agree. He thought Metro Bank's questioning during his call with it should have gone much further and if it had done so, the scam would have been uncovered and the payment prevented.

Mr F's complaint has now been passed to me for review and a decision.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I'm sorry to disappoint Mr F but having done so, I'm not upholding his complaint – for much the same reasons as the Investigator's explained.

Metro Bank considers that this payment falls out of the scope of the Authorised Push Payment scam reimbursement rules because it was made to another account in Mr F's control – and I agree. So, I've thought about whether Metro Bank should reimburse Mr F under any of its other obligations.

It's not in dispute that Mr F authorised the payments, and Metro Bank does have a duty to act on his instructions. But in some circumstances, Metro Bank should take a closer look at the circumstances of the payments – for example, if it ought to be alert to a fraud risk, because the transaction is unusual, or looks out of character or suspicious. And if so, it should intervene, for example, by contacting the customer directly, before releasing the payments.

I'd expect any intervention to be proportionate to the circumstances of the payment. But I've also kept in mind that banks such as Metro Bank process high volumes of transactions each day. There is a balance for them to find between allowing customers to be able to use their account and questioning transactions to confirm they're legitimate.

Mr F's account with Metro Bank was opened shortly before he made the payment to the scam, so it didn't have any prior account usage to establish whether the scam payment was out of character for Mr F. However, it did find the payment suspicious and decided not to release it until it had spoken to Mr F about it.

I've thought carefully about whether the intervention from Metro Bank was proportionate in the overall circumstances it was aware of here. And I think it was. I must bear in mind that Mr F didn't give Metro Bank accurate information about the circumstances of the payment when he spoke with it despite Metro Bank asking him a number of times if he was being guided by anyone.

During the call Mr F said, in summary, that this was his money and he wanted to make a payment with it. He said he traded various things, including cryptocurrency, he'd used the particular cryptocurrency platform before and he'd been trading for a couple of years. He also confirmed he'd done independent research, he was aware of scams and he was really careful.

When questioned further Mr F confirmed again that he was trading independently, and nobody had contacted him about making an investment. He said he was taking advice from his uncle, and when questioned further he said his uncle had given him some tips on trading – but he made his own decisions and nobody had influenced, guided or coached him. He also said that he was aware of the risks, but he knew what he was doing. The adviser then agreed to release the payment, but warned Mr F that Metro Bank wouldn't be responsible if he was being scammed, which Mr F accepted.

While there's no evidence that Mr F was provided with a detailed cover story it's clear he was taking quite close instruction from the scammer throughout this scam and unfortunately, he wasn't open and honest about the circumstances of the payment during the intervention call. But based on what Mr F said in the call, I don't think it was unreasonable for Metro Bank to release the payment.

Mr F thinks Metro Bank ought to have asked more open-ended questions, including to investigate further into the research he said he carried out and into his uncle's advice and experience in trading. But I don't think the points and questions that Mr F considers should also have been included in the call would have been proportionate to the circumstances of

the payment or to the nature of the conversation that took place between Metro Bank and Mr F. It's not for Metro Bank to interrogate its customers, but to carry out an intervention which is proportionate to the risk of financial harm it has identified – which I think it has done here.

There are industry standards around the steps financial businesses should take to attempt to recover funds from a beneficiary account once a scam has been reported. But here, the funds were used by Mr F to buy cryptocurrency, which was then transferred to the scam. So, recovery wouldn't have been possible.

It's not in dispute that Mr F's been the victim of a cruel scam, and I'm sorry to disappoint him. But I've not found that Metro Bank should have done anything else to prevent him from making the payment. It follows that it wouldn't be fair or reasonable to ask Metro Bank to refund it.

My final decision

My final decision is that I'm not upholding Mr F's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr F to accept or reject my decision before 16 December 2025.

Helen Sutcliffe
Ombudsman